

Exhibit “C”

Affidavit of Laura Strickland

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DEBRA JOYCE CLACKLER, #159516,

Plaintiff,

v.

GLADYS DEESE, FRANK ALBRIGHT
and DR. SAMUEL ENGLEHARDT,

Defendants.

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CIVIL ACTION NO.
2:06-CV-172-WHA

AFFIDAVIT OF LAURA STRICKLAND

STATE OF ALABAMA

COUNTY OF MONTGOMERY

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Before me, the undersigned Notary Public, personally appeared LAURA STRICKLAND who, after being duly sworn, states as follows:

1. My name is Laura Strickland. I am over the age of nineteen (19) years and have personal knowledge of the information contained in this affidavit.
2. I am currently employed as the Health Services Administrator at the Julia Tutwiler Prison for Women ("Tutwiler"). I am currently a licensed registered nurse in the State of Alabama.
3. Deborah Joyce Clackler ("Clackler") is an inmate currently incarcerated at Tutwiler.
4. Attached hereto are the true and correct copies of: (a) the medical records of Clackler for the duration of her incarceration at Tutwiler; (b) sick call request forms submitted by Clackler; (c) dental records relating to Clackler; and (d) grievances submitted by Clackler.

5. Upon arriving at Tutwiler, inmates are notified of the procedures and processes for obtaining medical care and prescribed medications. As part of this orientation process, inmates are provided a form entitled "Access to Health Care Services." When Clackler arrived at Tutwiler, she signed the Access to Care Form included in her medical records. As set forth in the Access to Care Form, inmates receive prescribed medication through the process commonly referred to as "pill call." Pill call occurs for the general population at Tutwiler (i.e. inmates who are not housed in segregation) every day at 6 a.m. and 6 p.m. At these designated times, inmates line up outside of two pill call windows outside of the health care unit. When the inmate arrives at the pill call window, she provides a member of the medical staff who is standing on the other side of the pill call window with her identification badge which is issued by the Alabama Department of Corrections. The member of the medical staff then retrieves the inmate's medication which is organized alphabetically and punches the medication out of a medication blister pack into a small plastic cup. The medication is provided to the inmate who is required to immediately take the medication. As the pill call process progresses, the medical staff conducting pill call records the disbursement of medication on forms known as "Medication Administration Records" or MARs. These MARs are maintained and filed in the individual inmates' medical records. Once the medications are dispensed, the medical staff member records the dispensing of medication by placing her initial or initials in the space provided on the corresponding MAR. If an inmate does not report to pill call to retrieve her medication, the medical staff member will either (1) leave the form blank, or (2) place the letter "A" in the space provided, indicating the inmate was "absent." If the medical staff conducting pill call discovers an inmate's medication has run out, expired or cannot otherwise be dispensed to the inmate, the

medical staff at Tutwiler is instructed to document the unavailability of the medication and notify their supervisor or the prescribing physician immediately.

6. During Clackler's incarceration at Tutwiler, Prison Health Services, Inc. ("PHS") and the Alabama Department of Corrections have maintained a "Keep On Person" or KOP Medication Protocol. Under this protocol, eligible inmates receive medication blister packs containing their medication at one time and are then individually responsible for maintaining the medication, not providing the medication to any other inmates and taking the medications as prescribed. Eligible inmates participating in the KOP program are not required to go through the pill call process to obtain their medication. The blister packs have designated "reorder rows" which designate when the inmate should notify the medical staff that her medication requires reordering. When medication is reordered, the medical staff confirms an inmate's compliance with prescribing physician's orders by checking the remaining blister pack against the inmate's MAR. Inmates are only eligible to receive medication via the KOP process if they have historically demonstrated compliance with their medication or if special circumstances demonstrate it would be medically appropriate for an inmate to forego the pill call process. A physician in consultation with the medical staff determines if an inmate is eligible to receive medication via the KOP process. Eligibility to participate in the KOP program also depends upon the type of medication being prescribed. Before an individual is enrolled in the KOP program, she is educated about the KOP process by the physician or a member of the medical staff. Once an inmate enrolls in the KOP program, she is responsible for notifying the medical staff when her medication requires reordering.

7. When an inmate has a non-emergency medical or health problem and/or complaint at Tutwiler, an inmate may file a sick call request form in order to bring this problem

or complaint to the attention of the medical staff and/or request medical treatment for this problem. The sick call request process is well-known at Tutwiler and is utilized by inmates on a daily basis. In the Access to Health Care Services Form, inmates are provided a complete description of the sick call process. Sick call request forms are available at the Health Care Unit and at various locations throughout the facility. An inmate making a sick call request is required to complete the top portion of the sick call request form (stating her name, the date of request, AIS number, date of birth, dorm location, the nature of the problem or request and her signature). The inmate then submits the sick call request form by placing it in one of the many locked boxes located throughout the facility. The sick call request forms are removed from the locked box each day at approximately 12:00 p.m., brought to the Health Care Unit and marked as received by the medical records clerk or a nurse at that time. Upon reviewing the sick call request forms, the medical staff compiles a list of inmates that have submitted sick call request forms and provides the list to the Alabama Department of Corrections officer assigned to the Health Care Unit. The Health Care Unit officer summons the patients by radio. Sick call occurs at 7:30 a.m. Inmates who submit sick call request forms are responsible for reporting to the Health Care Unit for evaluation of their complaints. The nurse conducting sick call takes inmates' vital signs and either: (1) provides an inmate with medical treatment that can be provided under the nursing protocols, or (2) refers the inmate to the physician or nurse practitioner on staff at Tutwiler. If an inmate submits more than one sick call request form on the same day, the nurse will only fill in the intake information on one sick call request form regarding the inmate's subjective complaints, objective vital signs, assessment and plan. A submitted sick call request form that is not completed by PHS's medical staff indicates that an inmate failed to report when summoned to sick call. If the medical complaints or problems identified by an inmate in a sick call request

form appear to be urgent or life-threatening, the medical staff will immediately have the inmate brought to the Health Care Unit for medical treatment, and the inmate will not be required to wait until sick call begins.

8. PHS has a well-established grievance procedure for any inmate who wishes to voice a complaint regarding any medical treatment she has sought or received during her incarceration at Tutwiler. The initial orientation process at Tutwiler also includes educating inmates as to the availability of the grievance process. The existence of Tutwiler's grievance procedure is well-known among the prison population, as indicated by the fact that I receive inmate requests and/or inmate grievances on a daily basis. PHS's physicians, nurse practitioners, nurses and other medical personnel attempt to resolve all inmate concerns prior to an "inmate grievance" being submitted. The grievance process is initiated when an inmate submits a Medical Complaint form to the Health Services Administrator through the institutional mail system. I review the Medical Complaint and provide a written response within five days of receipt of the Medical Complaint. As stated in the Medical Complaint forms, the second step of the grievance process involves the submission of a formal Grievance (also referred to as an "appeal"). Written responses to formal Grievances are provided within five days of receipt. Medical Complaint and Grievance forms are available from the correctional officers at Tutwiler. Inmates are instructed to place completed Medical Complaint and Grievance forms in the sick call boxes located throughout the facility. When received in the health care unit, Medical Complaint and Grievance forms are sent to me by the medical records clerk or administrative assistant. I review the grievances daily, provide a written response within 5 days at the bottom of the form and return a copy of the completed forms to the inmate. I encourage inmates who

have complaints about the medical care they have sought or received at Tutwiler to utilize this grievance process.

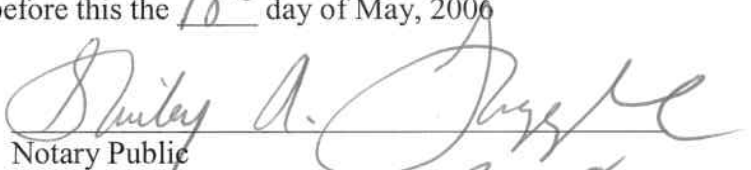
9. During the time from April 6, 2004, Clackler filed four Medical Complaints or informal grievances. (PHS0368¶; PHS0369; PHS0370; PHS0140-0141). Responses to Clackler's grievances were provided in a timely manner. (PHS0367; PHS0368; PHS0369; PHS0370; PHS0371). Clackler did not submit any appeal after receiving a response to any Medical Complaint she filed during her incarceration at Tutwiler.

Further affiant saith not.

[Signature page to follow.]


Laura Strickland

SWORN TO and SUBSCRIBED before this the 18th day of May, 2006


Notary Public

(SEAL)

My Commission Expires: 2008